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Attorney for Plaintiff.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ANA DERAS,

Plaintiff,

v.

ALEJANDRO MAYORKAS, ET AL.,

Defendants.

No. CV 09-04113 MHP

PLAINTIFF'S MOTION FOR VOLUNTARY  
DISMISSAL; ~~PROPOSED~~ ORDER

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff, Ana Deras, through counsel, requests that her complaint for relief under the Administrative Procedure Act, currently pending before the Court, be dismissed without prejudice. Because Defendants have issued a Notice to Appear before an Immigration Judge to Ms. Deras, she now has administrative remedies available to challenge Defendants' finding that she is not a lawful permanent resident of the United States and, if necessary, to seek relief from removal.

WHEREFORE, Plaintiff prays that this Court allow her to voluntarily dismiss her complaint, without prejudice.

1  
2 DATED: October 23, 2009

/s/

3  
4 Robert B. Jobe  
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5 San Francisco, CA 94108  
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6 Attorney for Plaintiff

7  
8 **~~PROPOSED~~ ORDER**

9 IT IS HEREBY ORDERED that Plaintiff's motion for dismissal of the action without  
10 prejudice be granted.

11  
12 DATED: 10/26/09

